

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**ELISABETH CLEVELAND, AMY
LARCHUK, CHRISTOPHER
REDMON, DHAVAL SHAH, and
THOMAS MCCORMICK**, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

WHIRLPOOL CORPORATION,

Defendant.

CASE NO. 20-cv-1906-WMW-KMM

**UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Plaintiffs Elisabeth Cleveland, Amy Larchuk, Christopher Redmon, Dhaval Shah, and Thomas McCormick (“Plaintiffs” or “Settlement Class Representatives”), by counsel and on behalf of themselves and the putative Class Members, submit this Unopposed Motion for Preliminary Approval of Class Action Settlement. Plaintiffs and Defendant Whirlpool Corporation (“Whirlpool” or “Defendant”) by counsel, have reached a proposed settlement (the “Settlement”) in this class action (the “Action”). Plaintiffs request the Court enter an Order:

- (1) granting Preliminary Approval to the Settlement;
- (2) certifying for settlement purposes the proposed Settlement Class, pursuant to Rule 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure;

(3) appointing Plaintiffs Cleveland, Larchuk, Redmon, Shah and McCormick as Class Representatives;

(4) approving the Notice Plan set forth in the Agreement, including the form and content of the Notices, and directing that notice of the proposed Settlement be given to members of the Settlement Class in the proposed form and manner;

(5) approving and ordering the opt-out and objection procedures set forth in the Agreement;

(6) staying all deadlines in this litigation pending Final Approval of the Settlement;

(7) appointing as Class Counsel the attorneys identified herein; and

(8) scheduling a Final Approval Hearing.

Grounds for this Motion are set forth in the accompanying Memorandum. The following are filed herewith:

The Parties' Class Action Settlement Agreement and Release;

The Proposed Notice and Claim Forms;

Declaration of Frank Bernatowicz; and

Joint Declaration of Proposed Class Counsel.

For the reason set forth more particularly in the accompanying memorandum in support, Plaintiffs request that the Court grant this Motion.

DATED: October 29, 2021

Respectfully submitted,

/s/ Harper T. Segui

Harper T. Segui

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Attorneys for Plaintiffs and Proposed Class

CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing was served upon all counsel of record via this Court's CM/ECF system.

This 29th day of October, 2021.

Respectfully submitted,

/s/ Harper T. Segui

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